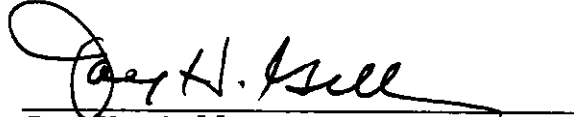


12. Registration 2776133, ESPERYA

Dated: October 6, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay H. Geller", written over a horizontal line.

Jay H. Geller
Jay H. Geller, a Professional
Corporation
West Tower, Suite 4000
2425 West Olympic Boulevard
Santa Monica, CA 90404
Attorney for Opposer
Telephone: 310-449-1399

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party of the within action; my business address is West Tower, Suite 4000, 2425 West Olympic Boulevard, Santa Monica, CA 90404.

On October 6, 2004, I served the foregoing document described as Notice of Trial Testimony Deposition on Applicant in this action by placing a copy in a sealed envelope addressed to:

Mr. Marc A. Lieberstein
Ostrolenk, Faber, Gerb & Soffen, LLP
1180 Avenue of the Americas
New York, NY 10036-8403

I caused such envelope with postage thereon fully prepaid to be deposited in the United States mail at Santa Monica, CA.

Executed on October 6, 2004 at Santa Monica, CA.


Jay H. Geller



UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#)[Index](#)[Search](#)[System
Alerts](#)[eBusiness
Center](#)[News &
Notices](#)[Contact Us](#)**Trademark Electronic Search System(Tess)***TESS was last updated on Wed Oct 6 04:38:39 EDT 2004*

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	BOTTOM	HELP	ABOUT
CURR LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[Logout](#)

Please logout when you are done to release system resources allocated for you.

[Start](#)List At:

OR

[Jump](#)to record: **Record 2 out of 3**[Check Status](#)*(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)***Typed Drawing****Word Mark** KISSING DOLPHINS

Goods and Services IC 030. US 046. G & S: barley (husked), biscuits, bread, cakes, Japanese-style candy (except candy containing chocolate or chocolate flavoring), caramel, celery salt, chewing gum, coffee, coffee (unroasted), cookies of all types, cooking salt, flour for food, gluten for food, honey, ice cream, ketchup, maltose, mayonnaise, meat pies, noodles, pastries, pies, pizza, popcorn (popped), ravioli, rice, salad dressings, sandwiches, sauces, seasonings, sherberts, spices, sugar, sushi, tea, vinegar, soy sauce. FIRST USE: 20010228. FIRST USE IN COMMERCE: 20010228

IC 032. US 045 046 048. G & S: aerated water, beer, fruit juices, ginger ale, lemonades, mineral water, tomato juice (beverages), vegetable juices (beverages). FIRST USE: 20010228. FIRST USE IN COMMERCE: 20010228

Mark**Drawing Code**

(1) TYPED DRAWING

Serial Number

74571652

Filing Date

September 9, 1994

Current**Filing Basis**

1A

Original**Filing Basis**

1B

Published for Opposition

April 9, 1996

Number 2507279
Registration Date November 13, 2001
Owner (REGISTRANT) Bond & Co. LTD. CORPORATION JAPAN 1-4, Shimagami-cho 1-chome Hyogo-ku Kobe JAPAN
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record John T. Miller
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	Browse Dict	TOP	HELP	2507279
CURR LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.